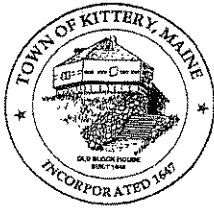


MATERIAL LIST FOR
OCTOBER 15, 2014
COUNCIL AGENDA PACKETS

1. Copy of Agenda for the Regular Council meeting of October 15, 2014.
2. Copies of minutes from the September 18th, 2014 Special Council Meeting and the Sept. 22nd, 2014 Regular Council Meeting.
3. Copy of application from David Lincoln for his appointment to the Planning Board.
4. Copy of Report from the Thresher Memorial Project Committee regarding setting up a permanent fund for the maintenance of the Memorial Circle and Memorial Park.
5. Copy of application from Belle's on Wheels, LLC, 20 Portsmouth Ave. #163, Stratham for a Victualer's License for Belles on Wheels, LLC to be located at Post Office Square, 10 Shapleigh Rd.
6. Copy of e-mail from Town Manager regarding improvement of athletic fields.
7. Copy of amendments to Title 2, Administration and Personnel, Chapter 2.3, Personnel Systems Generally, of the Kittery Town Code.
8. Copy of the request from Project Graduation to set up a voluntary toll booth at the Resource Recovery Facility on Sat., October 18th from 9 am – 3 pm.
9. Copy of check from Dean Jordan to be deposited in Acct. #4015-43600, Highway Equipment Reserve.
10. Copy of check from Ronald B. Lawrence to be deposited in Acct. #4018-43600 Kittery Port Authority Boat Reserve.
11. Copy of renewal application from Divine Cuisines, LLC for a Malt, Spirituous and Vinous Liquor License for Divine Cuisines d/b/a/ Tulsi, 20 Walker Street.
12. Copy of renewal application from Kittery Foreside LLC for a Malt, Spirituous and Vinous Liquor License for Anneke Jans, 60 Wallingford Square, Kittery.
13. Copy of renewal application from Black Birch Inc., for a Malt, Spirituous and Vinous Liquor License for The Black Birch, 2 Government St., Kittery.
14. Copy of request from John Roukes, Scoutmaster, Boy Scout Troop 307 to hold their annual Camp out at Fort Foster from 10/31/14 – 11/2/14.
15. Copy of application from Vern J. Gardner, Jr. to the Comprehensive Plan Update Committee as a Citizen representative.
16. Copy of letter from Kiwanis Club of the Seacoast Secretary regarding the annual Holiday Parade and appointment of Parade Committee.
17. Copy of e-mailed notification of resignation from Barry Bush from the Port Authority.
18. Copy of e-mail notification of resignation from Planning Board from Susan Tuveson.
19. Copy of letter of resignation from Robert P. Melanson from the Planning Bd.
20. Copy of applications from, Robert D. Harris, Sr., Paul Lucy, and John Delio for their appointment to the Personnel Board.



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

Wednesday, October 15, 2014

Kittery Town Council
Regular Meeting Agenda
7:00 p.m.

Council Chambers

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes
8. Interviews for the Board of Appeals and Planning Board
Planning Board:
David Lincoln (to fill the unexpired term of Susan Tuveson until 11/30/15)
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

The Kittery Town Council moves to accept the gift of improvements to Memorial Circle, the Memorial Park and funds for ongoing maintenance as a dedicated Permanent Fund in the amount of \$5,000.00, as presented.

10. PUBLIC HEARINGS

a. (100114-1) The Kittery Town Council moves to hold a public hearing on and approve an application from Belle's on Wheels, LLC, 20 Portsmouth Ave., #163, Stratham, NH for a Victualer's License for Belle's on Wheels LLC, Post Office Square, 10 Shapleigh Road, Kittery.

b. (100114-2) The Kittery Town will hold a public hearing, pursuant to Section 6.09.1 of the Town Charter, for a supplemental appropriation in the amount of \$12,500 for the purpose of matching private donations to fund the preparation of a master plan for the town's athletic fields.

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

12. UNFINISHED BUSINESS

a. (090314-1) The Kittery Town Council moves to approve, and hereby ordains, amendments to Title 2, Administration and Personnel, Chapter 2.3 Personnel Systems Generally, of the Kittery Town Code.

13. NEW BUSINESS

a. Donations/gifts received for Council disposition

b. (100114-3) The Kittery Town Council moves to approve the disbursement warrants.

c. (100114-4) The Kittery Town Council moves to approve a request from the Class of 2015 Project Graduation Committee to set up a voluntary toll booth at the Resource Recovery Facility on Saturday, October 18, 2014 from 9:00 a.m. until 3:00 p.m.

d. (100114-5) The Kittery Town Council moves to authorize the release of funds in the amount of \$800.00 from unassigned funds and to appropriate said funds to be paid out of Account #101740-68427 Expense Self-Insurance Claims for the replacement costs of a portable restroom damaged at the Kittery Community Center that did not meet the insurance deductible.

e. (100114-6) The Kittery Town Council moves to accept a check in the amount of \$32,001.00 from Dean Jordan to be deposited in Account # 4015-43600, Highway Equipment Reserve, from the sale of the 2007 Case 580 Loader/backhoe.

f. (100114-7) The Kittery Town Council moves to accept a check in the amount of \$8,025.00 from Ronald B. Lawrence to be deposited in Account # 4018-43600, Kittery Port Authority Boat Reserve, from the sale of the 2005 Eastern Harbor Master's boat.

g. (100114-8) The Kittery Town Council moves to approve a renewal application from Divine Cuisines, LLC, 20 Walker Street, Kittery for a Malt, Spirituous and Vinous Liquor License for Tulsì, 20 Walker Street.

h. (100114-9) The Kittery Town Council moves to approve a renewal application from Kittery Foreside LLC, 60 Wallingford Square for a Malt, Spirituous and Vinous Liquor License for Anneke Jans, 60 Wallingford Square.

i. (100114-10) The Kittery Town Council moves to approve the renewal application from Black Birch Inc., 2 Government Street, for a Malt, Spirituous and Vinous Liquor License for The Black Birch, 2 Government Street.

j. (100114-11) The Kittery Town Council moves to approve a request from John Roukes, Scoutmaster, Boy Scout Troop #307, for permission to hold their annual Camp out at Fort Foster from Friday, October 31st through Sunday, November 2nd, 2014.

k. (100114-12) The Kittery Town Council moves to appoint Vern J. Gardner, Jr. to the Comprehensive Plan Update Committee as a Citizen Representative until _____.

l. (100114-13) The Kittery Town Council moves to establish the annual Holiday Parade as a town event, sponsored by the Kiwanis Club of the Seacoast to be held on Saturday, December 6th at 3:00 pm and appoint Glen Philbrook, Kiwanis Club member, as the official Parade Committee.

m. (100114-14) The Kittery Town Council moves to accept the resignation from Barry Bush from the Port Authority, effective October 8, 2014.

n. (100114-15) The Kittery Town Council moves to accept the resignation from Susan Tuveson from the Planning Board, effective September 25th 2014.

o. (100114-16) The Kittery Town Council moves to accept the resignation from Robert Melanson from the Planning Board, effective October 2, 2014.

p. (100114-17) The Kittery Town Council moves to appoint a representative to interview Robert D. Harris, Sr., for his appointment to the Personnel Board until _____ 2017.

q. (100114-18) The Kittery Town Council moves to appoint a representative to interview John J. Delio for his appointment to the Personnel Board until _____ 2016.

r. (100114-19) The Kittery Town Council moves to appoint a representative to interview Paul E. Lucy, for his appointment to the Personnel Board until _____ 2016.

14. COUNCILOR ISSUES OR COMMENT

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

b. Committee Reports

16. EXECUTIVE SESSION:

17. ADJOURNMENT

Posted: October 9, 2014

UNAPPROVED MINUTES

September 18, 2014

KITTERY TOWN COUNCIL SPECIAL MEETING

Council Chamber

1. CALL TO ORDER: Chairperson Thomson called the meeting to order at 6:00 p.m.
2. INTRODUCTORY: Chairperson Thomson read the introductory.
3. PLEDGE OF ALLEGIANCE: Chairperson Thomson led those present in the Pledge of Allegiance.
4. ROLL CALL: Answering the roll were Councilors Frank Dennett, Russell White, Judith Spiller, Jeffery Brake and Chairperson Thomson.

5. DISCUSSION

- a. Discussion by members of the public (only pertaining to item #7 below and three minutes per person)
- b. Chairperson's response to public comments

6. NEW BUSINESS

- a. (090214-1) The Kittery Town Council moves to increase the FY'15 property tax levy limit of \$6,072,143 by \$317,438, since the approved municipal budget has resulted in a tax commitment that is greater than the property tax levy limit established by State law.

CHAIRPERSON THOMSON MOVED THE ITEM, SECONDED BY COUNCILOR SPILLER. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION PASSED 5-0.

- b. (090214-2) The Kittery Town Council moves to establish an overlay amount of \$_____ resulting in a mill rate of _____ mills, and to charge an interest rate of 7% per annum on past due accounts and an interest rate of 3% on overpayment of property taxes, and confirms the dates of October 31, 2014, February 15, 2015 and May 31, 2015, as the due dates for property and personal property taxes.

CHAIRPERSON THOMSON MOVED THAT COUNCIL ESTABLISH AN OVERLAY AMOUNT OF \$143,247.55, RESULTING IN A MILL RATE OF 15.52 MILLS, AND TO CHARGE AN INTEREST RATE OF 7% PER ANNUM ON PAST DUE ACCOUNTS AND PAY AN INTEREST RATE OF 3% ON OVERPAYMENT OF PROPERTY TAXES, AND CONFIRMS THE DATES OF OCTOBER 31, 2014, FEBRUARY 15, 2015 AND MAY 31, 2015 AS THE DUE DATES FOR PROPERTY AND PERSONAL PROPERTY TAXES. SECONDED BY COUNCILOR SPILLER. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION PASSED 5-0.

7. EXECUTIVE SESSION

- (090214-3) The Kittery Town Council moves to go into Executive Session with the Town Attorney and Town Manager, in accordance with 1 M.R.S. §405 (6) (E), to discuss dilapidated buildings.

UNAPPROVED MINUTES

51 IT WAS MOVED BY CHAIRPERSON THOMSON, SECONDED BY COUNCILOR SPILLER
52 TO GO INTO EXECUTIVE SESSION AT 6:15 P.M. ROLL CALL VOTE WAS TAKEN
53 WITH ALL VOTING IN FAVOR. MOTION PASSED 5-0.
54

55 IT WAS MOVED BY CHAIRPERSON THOMSON, SECONDED BY COUNCILOR SPILLER
56 TO COME OUT OF EXECUTIVE SESSION AT 6:39 P.M. ROLL CALL VOTE WAS
57 TAKEN WITH ALL VOTING IN FAVOR. MOTION PASSED 5-0.
58

59 8. ADJOURNMENT
60

61 IT WAS MOVED BY CHAIRPERSON THOMSON AND SECONDED BY VICE-CHAIR
62 WHITE TO ADJOURN THE MEETING AT 6:39 P.M. ALL WERE IN FAVOR BY A VOICE
63 VOTE.
64

65 /bb
66
67

UNAPPROVED MINUTES

KITTERY TOWN COUNCIL

September 22, 2014

COUNCIL CHAMBERS

1. Call to Order

Chairperson Thomson called the meeting to order at 7:00 P.M.

2. Introductory

Chairperson Thomson read the introductory.

3. Pledge of Allegiance

Chairperson Thomson led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll were Chairperson Jeffrey Thomson, Councilors Russell White, Frank Dennett, Chuck Denault, Jeffrey Pelletier and Jeffrey Brake.

5. Agenda Amendment and Adoption –

Chairperson Thomson indicated that he wanted to add an item under new business, Item L, to appoint the Town Manager as a voting delegate at the MMA Convention Business Meeting on October 1, 2014.

The agenda was accepted as amended.

6. Town Manager's Report –

Town Manager Puff stated that they had opened bids for the replacement of the roof of the Town Hall. She continued they had received 5 bids and were evaluating them to find the lowest and most qualified bidder.

Town Manager Puff noted there was a meeting relative to the Sarah Long Bridge with the ME DOT and the Planning Board that Thursday at 6.

Town Manager Puff indicated there was a report in Council packet on the speed trailer. She continued that it had been a success and they would be putting it on Haley Road.

Town Manager Puff noted the police chief had concluded the study of the Shapleigh area and it would be presented at the next meeting.

UNAPPROVED MINUTES

27 Town Manager Puff stated that there were 49 parking tickets issued at Seapoint Beach in
28 August. She noted that they were continuing to look in to how to increase enforcement in the
29 area now that the parking officer's hours had been cut.

30 Town Manager Puff indicated that the CEO's last day was that Thursday and they were
31 looking to find an interim CEO and would update Council as soon as possible.

32 Town Manager Puff stated she would be attending the MMA conference on October 1st
33 and would be on vacation from October 6 -11.

34 Town Manager Puff indicated that she had received some complaints regarding the
35 property maintenance ordinance and the CEO was involved and investigating.

36 7. Acceptance of Previous Minutes

37 The minutes of 8/25/14 & 9/8/14 were accepted as amended.

38 8. Interviews for the Board of Appeals – None

39 9. All items involving the town attorney, town engineers, town employees or other town
40 consultants or requested officials –

41 a. The Kittery Town Council moves to hear a presentation from Fire Chief David
42 O'Brien on the Inclement Weather Special Needs Request Program.

43 Chief O'Brien came to the podium and stated he had created a form, which had been
44 requested by residents, to be able to build a database of people in town that may need help during
45 inclement weather. He continued that the form was available on the fire department website.

46 b. The Kittery Town Council moves to hear a report from David Gooch, on behalf of the
47 Anniversary Steering Committee, celebrating the 300th anniversary of the First Congregational
48 Church of Kittery at Kittery Point.

49 David Gooch came to the podium and indicated he would be having the church historian,
50 John, give the presentation. John gave a brief historical overview on the church and invited the
51 town manager and Council to celebrate the 300th anniversary of the church on November 2nd.

52 10. PUBLIC HEARINGS -

53 a. (090314-1) The Kittery Town Council moves to hold a public hearing on amendments
54 to Title 2, Administration and Personnel, Chapter 2.3 Personnel Systems Generally, of the
55 Kittery Town Code.

56 Town Manager Puff indicated that this amendment would recognize the role of the HR
57 Manager and that it would some of the work on her that would have previously been in the hands

UNAPPROVED MINUTES

58 of the Personnel Board. Chairperson Thomson then opened the public hearing and no response
59 being heard, closed the public hearing.

60 **COUNCILOR WHITE MOVED TO ORDAIN THE AMENDMENTS TO TITLE**
61 **2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.3 PERSONNEL SYSTEMS**
62 **GENERALLY, OF THE KITTERY TOWN CODE AS PRESENTED, SECONDED BY**
63 **CHAIRPERSON THOMSON.**

64 Councilor Dennett and Councilor Denault expressed their concerns with the proposed
65 amendments.

66 **COUNCILOR DENAULT MOVED TO POSTPONE THIS ITEM UNTIL**
67 **OCTOBER 15, 2014, SECONDED BY COUNCILOR DENNETT.**

68 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
69 **6/0.**

70 11. DISCUSSION

71 a. Discussion by members of the public (three minutes per person) –

72 Milton Hall came to the podium and stated that the government had paid to replace the
73 road to Seapoint Beach and questioned whether the town had the authority to restrict parking.

74 b. Chairperson's response to public –

75 Chairperson Thomson responded that he assumed that appropriate research had been
76 done relative to that issue.

77 12. UNFINISHED BUSINESS –

78 a. (080314-7) The Kittery Town Council moves to give approval for the Charity
79 Defense Council to use Memorial Field on Thursday, June 25th (8:00 A.M. – 5 P.M.) and Friday,
80 the 26th (5:15 A.M. – 12:00 P.M.) 2015, for the Charity Defense March. In addition, they are
81 requesting that any fees be waived for such use.

82 Michelle Harper came to the podium and indicated that she had provided the additional
83 information Council had requested on this matter.

84 Councilor Denault expressed his concerns with the issue.

85 **A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENAULT,**
86 **COUNCILOR BRAKE AND COUNCILOR DENNETT OPPOSED. MOTION DOES**
87 **NOT CARRY 3/3.**

UNAPPROVED MINUTES

b. (080214-4) the Kittery Town Council moves to appoint a representative to meet with the Chair of the Port Authority to interview Barry Bush for his re-appointment to that board until 8/31/19.

Chairperson Thomson stated that Mr. Bush had withdrawn his nomination and no action needed to be taken.

13. NEW BUSINESS

a. Donations/gifts received for Council disposition - none

b. (090314-2) The Kittery Town Council moves to approve the disbursement warrants.

COUNCILOR PELLETIER MOVED TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR BRAKE WITH ALL IN FAVOR. MOTION PASSES 6/0.

c. (090314-3) The Kittery Town Council moves to approve a renewal application from Rolling in the Mud LLC, 460 US Route 1, Kittery for a Malt, Spirituous and Vinous Liquor License for When Pigs Fly Pizzeria, 460 US Route One.

COUNCILOR PELLETIER MOVED TO APPROVE A RENEWAL APPLICATION FROM ROLLING IN THE MUD LLC, 460 US ROUTE 1, KITTERY FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR WHEN PIGS FLY PIZZERIA, 460 US ROUTE ONE, SECONDED BY COUNCILOR BRAKE.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

d. (090314-4) The Kittery Town Council moves to approve a request from the Kittery Point Fire Association to hang a banner across Rogers Road in front of the Kittery Community Center, as well as place three 4'x2' signs (at the traffic circle, the end of Haley Road on Route 1, the corner of Bridge Street, and the Route 1 bypass) from October 18th through the 26th, 2014, advertising their Ham and Bean Supper fundraiser.

COUNCILOR WHITE MOVED TO APPROVE THE REQUEST FROM THE KITTERY POINT FIRE ASSOCIATION TO HANG A BANNER ACROSS ROGERS ROAD IN FRONT OF THE KITTERY COMMUNITY CENTER, AS WELL AS PLACE THREE 4'X2' SIGNS FROM OCTOBER 18TH THROUGH THE 26TH, 2014, ADVERTISING THEIR HAM AND BEAN SUPPER, SECONDED BY COUNCILOR BRAKE.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

UNAPPROVED MINUTES

e. (090314-5) The Kittery Town Council moves to approve a request from the Traip Athletic Boosters Craft Fair Committee, to hang a banner across Rogers Road, in front of the Community Center, from November 1st through November 16th, 2014, as well as place signs in various locations around town (similar to the Community Market), advertising their Craft Fair fundraiser on November 15th.

COUNCILOR PELLETIER MOVED TO APPROVE THE REQUEST FROM THE TRAIPT ATHLETIC BOOSTERS CRAFT FAIR COMMITTEE, TO HANG A BANNER ACROSS ROGERS ROAD, IN FRONT OF THE COMMUNITY CENTER, FROM NOVEMBER 1ST THROUGH NOVEMBER 16TH, 2014, AS WELL AS PLACE SIGNS IN THE VARIOUS LOCATIONS AROUND TOWN ADVERTISING THEIR CRAFT FAIR FUNDRAISER ON NOVEMBER 15TH, SECONDED BY COUNCILOR WHITE.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

f. (090314-6) The Kittery Town Council moves to accept the resignation of Daniel Arbo from the Kittery Port Authority, effective September 11, 2014.

COUNCILOR PELLETIER MOVED TO ACCEPT THE RESIGNATION OF DANIEL ARBO FROM THE KITTEY POINT AUTHORITY, EFFECTIVE SEPTEMBER 11, 2014, SECONDED BY COUNCILOR DENAULT.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

g. (090314-7) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Port Authority to interview Kenneth Lemont for his appointment to that board until 8/31/18 (filling the unexpired term of Daniel Arbo).

COUNCILOR DENNETT MOVED TO APPOINT COUNCILOR BRAKE TO MEET WITH THE CHAIR OF THE PORT AUTHORITY TO INTERVIEW KENNETH LEMONT FOR HIS APPOINTMENT TO THAT BOARD UNTIL 8/31/18, SECONDED BY COUNCILOR DENAULT.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

h. (090314-8) The Kittery Town Council moves to schedule a public hearing, pursuant to Sec. 6.09.1 of the Town Charter for a supplemental appropriation in the amount of \$12,500 for the purpose of matching private donations to fund the preparation of a master plan for the town's athletic fields.

UNAPPROVED MINUTES

CHAIRPERSON THOMSON MOVED TO SCHEDULE A PUBLIC HEARING ON OCTOBER 15TH, PURSUANT TO SEC. 6.09.1 OF THE TOWN CHARTER FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$12,500 FOR THE PURPOSED OF MATCHING PRIVATE DONATIONS TO FUND THE PREPARATION OF A MASTER PLAN FOR THE TOWN'S ATHLETIC FIELDS, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6.0.

i. (090314-9) The Kittery Town Council moves to appoint Joyce Tobey as Warden and Sandra Lutts as Deputy Warden for the November 4, 2014, General and Municipal election and the opening of the polls at 8:00 A.M. and closing at 8:00 P.M. as recommended by the Town Clerk.

COUNCILOR PELLETIER MOVED TO APPOINT JOYCE TOBEY AS WARDEN AND SANDRA LUTTS AS DEPUTY WARDEN FOR THE NOVEMBER 4, 2014, GENERAL AND MUNICIPAL ELECTION AND THE OPENING OF THE POLLS AT 8:00 A.M. AND CLOSING AT 8:00 P.M. AS RECOMMENDED BY THE TOWN CLERK, SECONDED BY COUNCILOR WHITE WITH ALL IN FAVOR. MOTION PASSES 6/0.

j. (090314-10) The Kittery Town Council moves to sign the Municipal Warrant for the November 4, 2014 election.

COUNCILOR DENNETT MOVED TO SIGN THE MUNICIPAL WARRANT FOR THE NOVEMBER 4, 2014 ELECTION, SECONDED BY COUNCILOR PELLETIER WITH ALL IN FAVOR. MOTION PASSES 6/0.

k. (090314-11) The Kittery Town Council moves to appoint Maryann Place as Acting Town Manager from October 6-11, 2014, during the Town Manager's absence.

COUNCILOR WHITE MOVED TO APPOINT MARYANN PLACE AS ACTING TOWN MANAGER FROM OCTOBER 6-11, 2014, DURING THE TOWN MANAGER'S ABSENCE, SECONDED BY COUNCILOR BRAKE WITH ALL IN FAVOR. MOTION PASSES 6/0.

l. The Kittery Town Council moves to appoint Town Manager Puff as a voting delegate at the MMA Convention Business Meeting on October 1st.

COUNCILOR BRAKE MOVED TO APPOINT TOWN MANAGER PUFF AS A VOTING DELEGATE AT THE MMA CONVENTION BUSINESS MEETING ON

UNAPPROVED MINUTES

188 **OCTOBER 1ST, SECONDED BY COUNCILOR WHITE WITH ALL IN FAVOR.**
189 **MOTION PASSES 6/0.**

190 14. COUNCILOR ISSUE OR COMMENT

191 Councilor White asked that Council receive a status report relative to the town planner's
192 resignation.

193 Councilor Pelletier asked if the prohibition of signs in the traffic circle was by ordinance
194 or just a suggestion. Chairperson Thomson stated that it was his opinion that it was not
195 appropriate to have political signs in the circle. Councilor Pelletier indicated that he agreed but
196 thought that the signs might be protected by state law. Councilor Denault asked that the address
197 this issue as soon as possible.

198 15. COMMITTEE AND OTHER REPORTS

199 a. Communications from the Chairperson –

200 Chairperson Thomson indicated that Council had set the mil rate at \$15.52 per thousand
201 which was an increase of 1.97%.

202 Chairperson Thomson stated that Wednesday at 6:00 P.M. they would be holding a J1
203 meeting with state department workers.

204 Chairperson Thomson indicated that the next Foreside Forum would be held at the KCC
205 on September 29th.

206 b. Committee Reports –

207 Councilor Denault stated that the EDC would be meeting soon.

208 16. EXECUTIVE SESSION – None

209 17. ADJOURNMENT

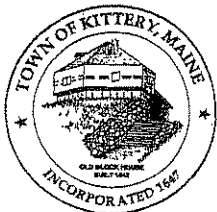
210 **COUNCILOR PELLETIER MOVED TO ADJOURN, SECONDED BY**
211 **COUNCILOR WHITE WITH ALL IN FAVOR. MEETING ADJOURNED AT 8:47 P.M.**

212

213

214

215



OFFICE OF THE TOWN CLERK
TOWN OF KITTERY, MAINE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 439-0452 Fax: (207) 439-6806
website: www.kittery.org

RECEIVED
OCT 08 2014
9:47 a.m.
BB

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: DAVID LINCOLN

RESIDENCE: 100 Shepard Cove Rd #307

MAILING (if different) _____

E-MAIL ADDRESS: d.lincoln307@comcast.net PHONE #: (Home) 207-203-0457 (Work) _____

Please circle your choices and list in order of priority by marking 1,2,3, etc.:

Board of Appeals
Conservation Commission
Economic Development Comm.
Recycling Scholarship Selection Comm.
Parks Commission
Port Authority
Personnel Board

Board of Assessment Review
Mary Safford Wildes Trust
Shellfish Conservation Committee
Community Center Bldg. Comm./Rec. Comm.
Open Space Committee
Planning Board
Other _____

EDUCATION/TRAINING: Tuff U Univ / Harvard Bus School

RELATED EXPERIENCE (Including other Boards and Commissions) _____

York - Budget Comm (2 terms) Appeals Bld - 4 yrs
Kittery - Econ Dev Comm, Foreside Study, Parks Comm

PRESENT EMPLOYMENT: Retired

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY?: ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: None

REASON FOR APPLICATION TO THIS BOARD: Filling Vacancy w/ bias

I HAVE ☒ / HAVE NOT ☐ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

D. Lincoln
SIGNATURE OF APPLICANT

10/8/14
DATE

REPORT TO COUNCIL - THRESHER MEMORIAL PROJECT, 10/14/14

1 **RESPONSIBLE INDIVIDUAL(s):** Thresher Memorial Project Group
(Sponsored by Councilor Charles Denault)

Date: Oct 14, 2014

2 **SUBJECT:** Town Acceptance of Thresher Memorial Improvements & Funds

3 **BACKGROUND:**

4 **RESOLUTION, MAY 23, 2011:**

5 *"....the Kittery Town Council does endorse a volunteer initiative to bring about the*
6 *arrangements for a Thresher Memorial to be centered on a 129-foot high, lighted, flagpole with*
7 *such other features and accoutrements as may be deemed appropriate."*

8 *"...desires said Thresher Memorial be dedicated on April 10, 2013 with all due ceremony with*
9 *dignity and solemnity as befits a dedication to the honor of our own."*

- 10 • The project group received approval by Council of the Thresher flagpole monument construction
11 and dedication event in Memorial Circle on November 14, 2012.
- 12 • The Memorial Circle 129' foot high, Thresher flagpole was dedicated on April 07, 2013. Three
13 20' x 38' flags were provided to DPW along with various spare replacement components.
- 14 • The site plans for the Memorial Circle and Kittery Memorial Park Thresher Monument and
15 Circle of Honor were approved by the Planning Board in June 2013.
- 16 • The signage and landscaping improvements in Memorial Circle were completed in September
17 2013.
- 18 • Kittery Memorial Park, created to honor all veterans, first responders, and peace corps
19 members, was completed and dedicated in this year's May 26th Memorial Day ceremony.
- 20 • For the record, we note that more than 430 contributors from all around the United States
21 (including 82 from Kittery) donated funds or in-kind materiel and services in the amount of
22 \$216,874.61 to the project. 91 came forward to sponsor publication of D. Allen Kerr's book
23 "Silent Strength" leading to sizeable and continuing contributions.
- 24 • We offer sincerest appreciation to President George H. W. Bush for his generous support and
25 endorsement; as well as the communities of Portsmouth, Rye, and Hampton, NH; and Wells,
26 ME, and the largest donors:

LANG LANDSCAPING SERVICES, GREENLAND, NH	\$25,000.00
H. L. PATTEN CONSTRUCTION, KITTERY	\$18,000.00
ANONYMOUS, KITTERY	\$13,864.41
PNS NAS NSE (SUPERINTENDENTS)	\$11,000.00
THE MEN & WOMEN OF ELECTRIC BOAT	\$10,015.00
NORTHROP GRUMMAN	\$5,000.00
NORTHEAST CREDIT UNION, PORTSMOUTH, NH	\$5,000.00
D. ALLEN KERR - SILENT STRENGTH AUTHOR, KITTERY*	\$5,702.76

* Additional proceeds from continuing sales to be contributed

REPORT TO COUNCIL - THRESHER MEMORIAL PROJECT, 10/14/14

- The Group fully acknowledges that this Project would not have come to fruition without every individual and company who made the contributions large and small.
- We must also express the greatest appreciation to the Kittery Maine Improvement Foundation, a non-profit 501C3 entity established to support improvement projects to the benefit of the Town of Kittery, officers Judy Spiller, George Dow, Duncan McEachern, and Gerry Mylroie , who accepted sponsorship of the Thresher Project, enabling us to accord tax deductible status to our contributors.
- Finally, especially meritorious credit goes to the Kittery Town Council and departments of the town for unwavering support in making this memorial a reality.

CURRENT SITUATION:

- The Thresher improvements in the Circle and park reflect the stately, dignified, and symbolic objective of the Project Group in honoring the men of Thresher in the town she was built in, and signify Kittery's pride in our rich maritime history in standing up for the freedom of this great country and clearly displaying that we honor our own..
- All improvements were constructed/installed fully compliant with all Federal, State, and Kittery regulatory requirements.
- The flagpole and park have met with acclaim nationally, and overwhelmingly positive acceptance and endorsement from Kittery's citizens.
- The Kittery "After Hours" Rotary Club has accepted ownership of continuing Project administration (archive files; e-mail, website; Facebook; etc).
- The Thresher Memorial Project Group, an informal group of municipal officials and private citizens, having spent three years to bring the Project to this point, now wishes to withdraw, and we urge the Council to accept these gifts in perpetuity.

USS Thresher Memorial Project Group

Honorary Group Members

John Riemenschneider, Crewmember
Tim Noonis, Thresher Family

Thresher Base SubVets

Kevin Galeaz

Liaison to Town Council

Gary Beers

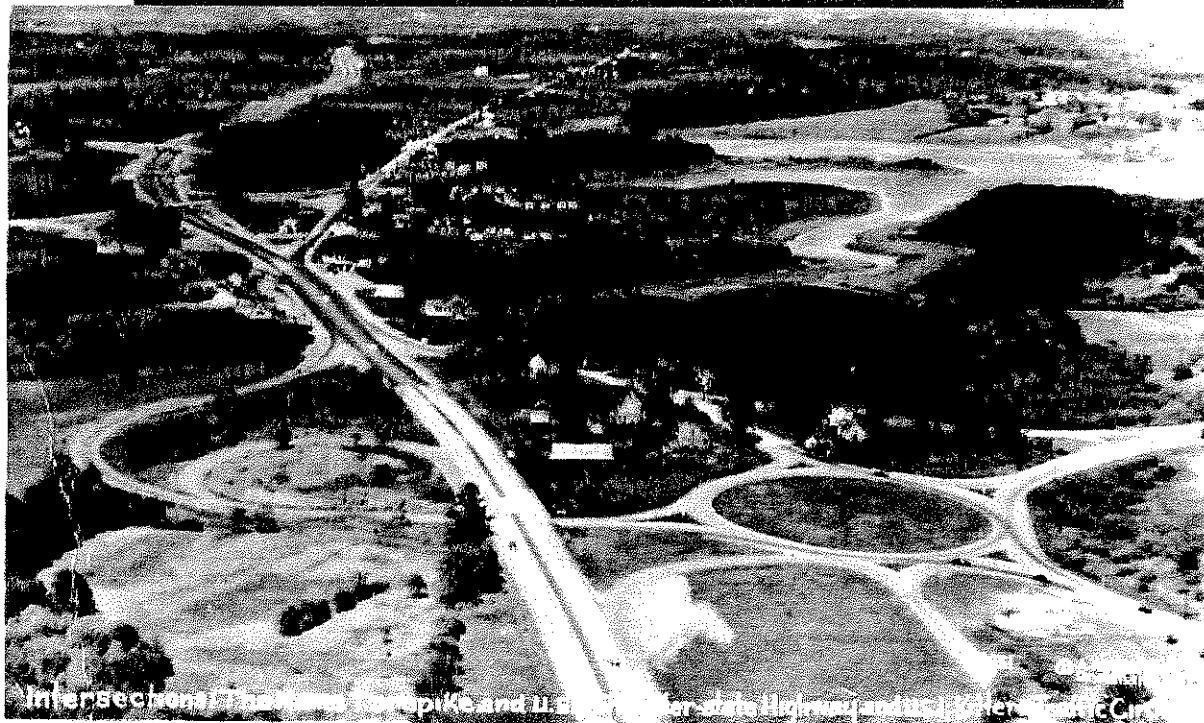
Kittery Group Members

John Carson
Gerald R. Mylroie
D. Allan Kerr
Kenneth Lemont
Keith Lemont
Capt William McDonough
Norman Leon
David Kelly
Jeffery Pelkey
Jonathon Carter

Recommendation: Accept the gift of improvements to Memorial Circle, Memorial Park, and funds for ongoing maintenance as a dedicated Permanent Fund in the amount of \$5,000.00, as presented

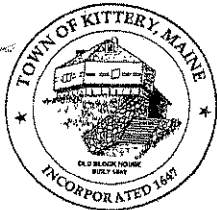
2 Enclosures

1. Memorial Circle photos
2. Memorial Park photo



Intersections: Threshers Road and U.S. 101, Interstate Highway and U.S. 101, and U.S. 101 and U.S. 101.





TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road, Kittery, Maine 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

**APPLICATION FOR VICTUALERS, INNKEEPERS,
AND LODGING HOUSE OPERATORS LICENSE**

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Justin Beccord owner Belle's on Wheels LLC.
(please print)

Applicant Address: 20 Portsmouth ave. #163 Stratham NH 03885
(please print)

Applicant's mailing address if different from above: _____

Date of Birth (Sole Proprietor): 12/29/1977 Applicant's Telephone Number: 508-380-4938

Business Name: Belle's on Wheels LLC.
(please print)

Business Address: Post Office Square, 10 Shapleigh Rd. Kittery ME
(please print) 03904

Business Telephone Number: 508-380-4938

Signature of Applicant: [Signature] DATE: 9/28/14

Applicant's Name: Justin Beccord
(please print)

LICENSE FEE: \$ 50.00

FIRST TIME APPLICATIONS: \$50.00
RENEWAL OF LICENSE: \$25.00

PLEASE SUBMIT THIS FORM WITH THE APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE

September 29, 2014

RECEIVED
SEP 29 2014

BY: _____

Town of Kittery
Town Council & Town Clerk
200 Rogers Road
Kittery, Maine 03904

RE: Justin Rexroad, Belle's on Wheels, Mobil Food Truck

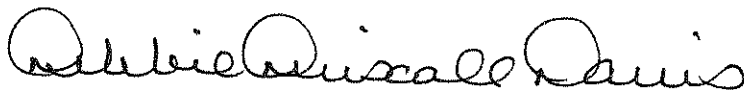
Dear Council and MaryAnn,

I understand Justin Rexroad has requested a mobil vending license to operate his food truck, Belle's on Wheels, LLC in Kittery.

We have given Justin Rexroad, owner of Belle's on Wheels LLC, permission to operate his gourmet food truck at Post Office Square, 10 Shapleigh Road, Kittery, Maine.

Should you have any questions or concerns, I would be happy to answer them.

Thank you,



Debbie Driscoll Davis
Driscoll Realty, Inc.
P O Box 207
Kittery Point, ME 03905
(207)439-7503 office
(207)451-4021 cell

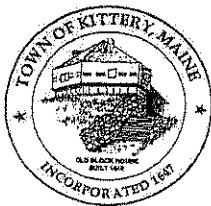
Maryann Place

From: Nancy Colbert Puff
Sent: Thursday, October 02, 2014 6:03 PM
To: Maryann Place
Subject: Notes for Master Plan for Sports Fields

As reported to the Council in the past, I've met a few times with Kittery residents who are interested in improving Memorial Field. At first, the discussion focused on a plan developed by the former Commissioner of Public Works which was estimated to cost \$1.4 million to construct. Last month, I, Commissioner Norm Albert, and Assistant Director of Recreation Jeremy Paul met with Tony Marino and Michael Downs to discuss their proposal to provide 1/2 of the funding necessary to finance a master plan for all of Kittery's sports fields. They explained their evolution in thinking about Memorial Field led to a realization that the best approach may involve a broader look at how all of our existing facilities might be used/improved in the most cost-efficient manner. Both Norm and Jeremy agreed with this idea. I expect Mr. Marino will be in attendance.

Nancy Colbert Puff, Town Manager
Town of Kittery
200 Rogers Road
Kittery, ME 03904
207-475-1329

NOTICE: Please be aware that any e-mails that you send to Town officials are subject to Maine's Freedom of Access law and may not be kept private if there is a request for public records.



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: September 8, 2014
From: Nancy Colbert Puff, Town Manager
Subject: Changes to the Personnel Code
Councilor Sponsor: Chairman Jeffrey Thomson

EXECUTIVE SUMMARY

The proposed changes to the Personnel Code are intended to recognize the role of the Human Resources Manager (HR) in relationship to the Personnel Board. The changes update the Code to reflect the HR Manager's current role in administering HR functions at the Town Manager's direction.

STATEMENT OF NEED

Membership on the Personnel Board has been irregular – the Board infrequently meets on an as-needed basis, and as a result, it has been difficult to attract volunteers to serve. In addition, as a staff person, the HR Manager is in a better position to receive timely notifications, reside over official hearings, and provide advice on matters pertaining to compensation and fringe benefits.

BACKGROUND

Early this year, the Town Council considered an application for Appointment to the Personnel Board. Prior to acting on the Appointment, the Council requested I meet with Town Counsel to determine if/how the Personnel Board might function into the future, given that the Town now has a professional HR Manager fulfilling many of its needs regarding personnel management.

FACTS BEARING ON THE EQUATION

I met with Town Counsel Duncan McEachern, Town Council Chairperson Jeffrey Thomson, Town Clerk Maryann Place, and HR Manager Betsy Oulton on multiple occasions to discuss the proposed solution. While we discussed possible Charter Amendments to address changes to the Personnel Board's charge in light of the addition of the HR Manager to the Town's staff, we opted to propose changes within the Code to address this issue.

CURRENT SITUATION

Town Council's action is requested.

PROPOSED SOLUTION/RECOMMENDATION

I recommend approval of the proposed changes.

RATIONALE FOR THE PROPOSED SOLUTION (INCLUDING COSTS)

Please see Statement of Need and Background. There is no cost involved.

2.3.12 Separations.

A. When in the judgment of the Town Manager an employee's work performance justifies disciplinary action short of dismissal, the employee may be suspended without pay. A suspended employee may not request a hearing before the personnel board unless the suspension is for more than five working days, or unless the employee has already received a previous suspension within the six months immediately prior thereto. The Human Resources Manager and the personnel board must be notified of any actions under this section.

B. A permanent employee may be dismissed or demoted whenever in the judgment of the Town Manager the employee's work or misconduct so warrants. The Town Manager, when taking such action, shall file with the employee and the Human Resources Manager and the personnel board a written notification containing a statement of the substantial reasons for the action. The employee must be notified no later than the effective date of the action. The notice must inform the employee that he or she is allowed five working days from the effective date of the action to file a written reply with the Town Manager and the Human Resources Manager and the personnel board, and to request, in writing, a hearing before the personnel board.

C. If the employee files a written reply and requests a hearing within the prescribed period, the personnel board must meet within five working days to set a hearing date. The hearing may be private or open to the public at the discretion of the employee.

D. ~~The chairperson of the personnel board~~ Human Resources Manager is the hearing official, but is not a member of the board. The Chairperson will preside over the meeting. In conducting a hearing, the proceedings are informal and it is assumed that the action complained of was taken in good faith, unless proved otherwise.

E. Upon completion of the hearing, the personnel board must issue its written advisory opinion to the Town Manager and to the employee within thirty (30) days.

F. An employee may resign by notification to the Town Manager.

Note: An employee resigning in good standing may be reinstated within two years after the date of resignation.

G. Grievance Procedure. The term "grievance" includes any dispute concerning the application or interpretation of any of the provisions of this chapter or Charter of the Town.

1. An employee, believing a reason for grievance exists, must first reduce the problem to writing and discuss the matter with the department head within forty-eight (48) hours of noting the grievance. Within five working days the department head must render a written decision.

2. If the grievant is not satisfied with the decision, the grievant may request in writing a meeting with the Town Manager and present the claim in writing, with a statement that the grievance is or is not a result of discrimination. Alleged discrimination practices are not covered under this grievance procedure, but are processed in accordance with applicable laws of the State of Maine.

2.3.15 Records.

2.3.15.1 Maintenance.

The Town Manager shall maintain adequate records of the proceedings of the personnel board, and of the Town mManager's own official acts, the employment record of every employee, and where appropriate, the examination record of every candidate for employment.

2.3.15.2 Duty of Department Heads to Furnish Information.

Department heads must furnish such information as may be requested for this purpose.

2.3.15.3 Availability.

Such records as relate to employee compensation and fringe benefits must be maintained by the Town Manager and be made available at the request of the Human Resources Manager and the personnel board for matters specifically relating to grievances, separation, demotion or suspensions. The Town Manager shall also bring to the attention of the the Human Resources Manager and the personnel board any deviations in employee compensation, fringe benefits, and like matters as may be noted by the Town-m-Manager.

2.5.15.4 Human Resources Manager

The Human Resources Manager is defined as a shared position located within the School Department.

Maryann Place


From: Tess [tesshschneier@yahoo.com]
Sent: Wednesday, October 01, 2014 4:42 PM
To: Maryann Place
Subject: Fwd: Toll booth fundraiser at Town Dump

Sent from Tess

Begin forwarded message:

From: Tess <tesshschneier@yahoo.com>
Date: October 1, 2014 at 4:40:42 PM EDT
To: "mplace@kitterymw.org" <mplace@kitterymw.org>
Subject: Toll booth fundraiser at Town Dump

Dear Town of Kittery,

We respectfully request that the Class of 2015 Project Graduation Committee be able to operate a "Toll Booth" fundraising activity at the Town Dump on Sat., in Oct. 18, 2014 from 9:00 - 3pm. 

Thank you very much.

Tess Schneier
President
Class of 2015
Traip Academy Project Graduation
Tesshschneier@yahoo.com
438-9215

Sent from Tess

10/15 Agenda

Motion of October 13, 2014 Meeting

The Kittery Town Council moves to authorize the release of funds in the amount of \$800.00 from unassigned surplus and to appropriate said funds to be paid out of **Account #101740-68427 Expense Self-Insurance Claims** to pay a vendor for the replacement costs of a portable restroom damaged by arson at the Kittery Community Center. The cost of replacement is less than the deductible amount.

Submitted by Cindy Saklad on 9/23/14



Reference _____

Date 09/23/2014

Cashier's Check

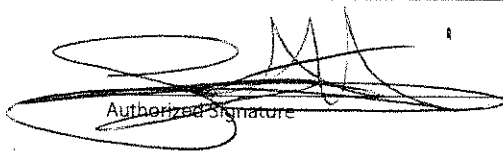
8032823

40601-A1367JQ

\$*****32,001.00*****

Pay
THIRTY TWO THOUSAND ONE DOLLARS AND ZERO CENTS

TOWN OF KITTERY

To the
Order of _____**CASHIER'S CHECK**
Authorized Signature

Notice to Customers: The purchase of an indemnity
bond may be required before this check will be replaced
or refunded in the event it is lost, misplaced or stolen.

Member FDIC CK-002

⑈8032823⑈ ⑆221172186⑆ ⑈17000295⑈

TO be deposited in
#4015-43606
Hwy Equip
Reserve

4018-4360 0
KPA Boat
Reserve

WARNING - THIS CHECK IS PROTECTED BY SPECIAL SECURITY GUARD PROGRAM™ FEATURES

Northeast
CREDIT UNION
2114

P.O. Box 1240
Portsmouth, NH 03802-1240
(888) 436-1847

64-8963
2114

00 0000697323

DATE

09/24/14

\$8,025.00

PAY ** EIGHT THOUSAND TWENTY FIVE DOLLARS AND 00 CENTS **

TO THE TOWN OF KITTEERY
ORDER OR RONALD B LAWRENCE
OF

OFFICIAL CHECK
VOID AFTER 90 DAYS

Timothy J. Collier
Authorized Signature



THIS CHECK CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

⑈697323⑈ ⑆211489630⑆

870020⑈

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER: CLASS:

DEPOSIT DATE

AMT. DEPOSITED: BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES

10/25/14

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER:

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) -(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>DIVINE CUISINES, LLC</u>				2. Business Name (D/B/A) <u>DIVINE CUISINES, LLC</u>			
DOB: <u>ES, LLC</u>				DBA: <u>Tulsi</u>			
DOB: <u>ES, LLC</u>				Location (Street Address) <u>20 Walker St.</u>			
Address <u>20 Walker St.</u>				City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>			
City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>				Mailing Address <u>20 Walker St.</u>			
Telephone Number <u>207-451-9511</u> Fax Number <u>207-451-9511</u>				City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>			
Federal I.D. # <u>02-0523796</u>				Business Telephone Number <u>207-451-9511</u> Fax Number <u>207-451-9511</u>			
				Seller Certificate # <u>1072793</u>			

3. If premises is a hotel, indicate number of rooms available for transient guests: NA

4. State amount of gross income from period of last license: ROOMS \$ 1,121,311.80 FOOD \$ 127,736.25 LIQUOR \$ 127,736.25

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: Stan Campbell

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: 9 COOK ST., KITTERY, ME 03904

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐
11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Tanet Howe	10-15-40	Frammingham, MA
Rajesh Mandekar	8-13-75	Mumbai, India
Stan Campbell	10-23-60	AL - USA

Residence address on all of the above for previous 5 years (Limit answer to city & state)

9 Cook St., Kittery, ME &
Gov't St., Kittery, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____
Dining room & bar areas

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 200 yds Which of the above is nearest? church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Kennebunk Savings Bank Loans

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kittery, ME on 9/17/14, 20 14
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

For Office Use Only:

License #: _____

Date Filed: _____

**Supplemental Information Required for
Business Entities Who Are Licensees**

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

1. Exact legal name:

Divine Cuisine, LLC

2. Other business name for your entity (DBA), if any:

DBA Tulse

3. Date of filing with the Secretary of State: 2004

4. State in which you are formed: ME

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
James Rowe	9 Cook St., Kittery, ME	10-15-40	50%
Rajesh Mandekar	9 Cook St., Kittery, ME	08-13-1975	50%

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes

☐

No

☒

10. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____


Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person



Date



Print Name of Duly Authorized Person

Submit Completed Forms To: Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220

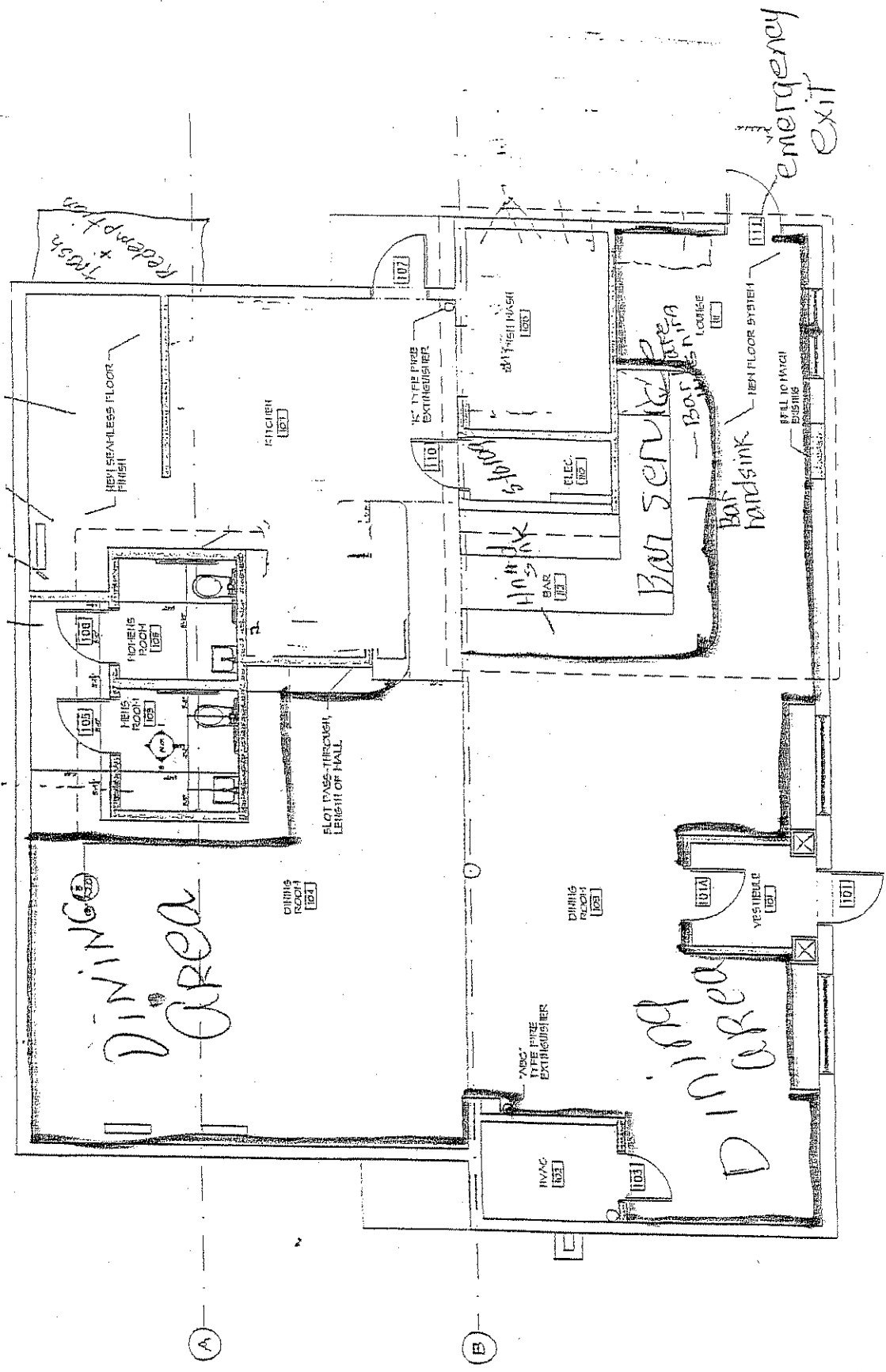
DAVIS QUINN ARCHITECTS, II
 939 Fillingim Road
 Fort Lauderdale, FL 33304
 Phone: (305) 461-1111

TULSI RESTAURANT
 20 WALKER STREET
 KITTERY, ME

DESIGNED BY: **DAVIS**
 DATE: 11/1/11
 REVIEWED BY: **WLD**
 REV: DGA

TITLE: **FLOOR PLAN**
 SUBMITTING: **PHASE**

On: *12/2/11*



PROPOSED FLOOR PLAN
 11/1/11

= Bar & Food service Area

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	
FILING FEE	\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)
On: _____

Date

The undersigned being: ف Municipal Officers ف County Commissioners of the
ف City ف Town ف Plantation ف Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all license requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES 10/27/14

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)

☒ HOTEL-OPTIONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) —(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>KITTERY FORESIDE LLC</u> DOB:			2. Business Name (D/B/A) <u>ANNEKE JANS</u>		
DOB:					
DOB:			Location (Street Address) <u>60 WASHINGTON SQUARE</u>		
Address <u>60 WASHINGTON SQUARE</u>			City/Town <u>KITTERY</u>	State <u>ME</u>	Zip Code <u>03904</u>
			Mailing Address		
City/Town <u>KITTERY</u>	State <u>ME</u>	Zip Code <u>03904</u>	City/Town	State	Zip Code
Telephone Number <u>207-439-0001</u>			Business Telephone Number		
Fax Number			Fax Number		
Federal I.D. # <u>27-3499377</u>			Seller Certificate # <u>1147456</u>		

3. If premises is a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 650 K LIQUOR \$ 350 K

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

complete Supplementary Questionnaire, If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: _____

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
JASON ADAM CANRY	6/6/70	DORCHESTER, MA.

Residence address on all of the above for previous 5 years (Limit answer to city & state)

SOUTH BERTWICK, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

POLAR BEAR RENTY

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) 90 SEAT BISTRO

DINNER SEVEN NIGHTS, BAR, KITCHEN + 2 BATHROOMS

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/4 MILE Which of the above is nearest? CHURCH

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: BUSINESS LOAN - OPTIMA BANK + TRUST

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: SOUTH BERTWICK, ME on AUGUST 20, 20 14

Town/City, State

Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

JASON CANRY

Print Name

Signature of Applicant or Corporate Officer(s)

Print Name



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

KITTERY FORESIDE LLC

2. Other business name for your entity (DBA), if any:

ANNEKE JANS

3. Date of filing with the Secretary of State: OCT 2010

4. State in which you are formed: MAINE

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
JASON ADAM CANNY	SOUTH BERNICK, ME	6-6-70	65
SCOTT VICEK	ELIOT, ME	8-18-69	35

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

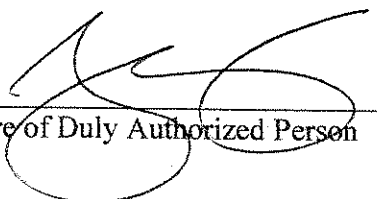
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

8-20-14

Date

JASON CANTY

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3424
Email Inquiries:

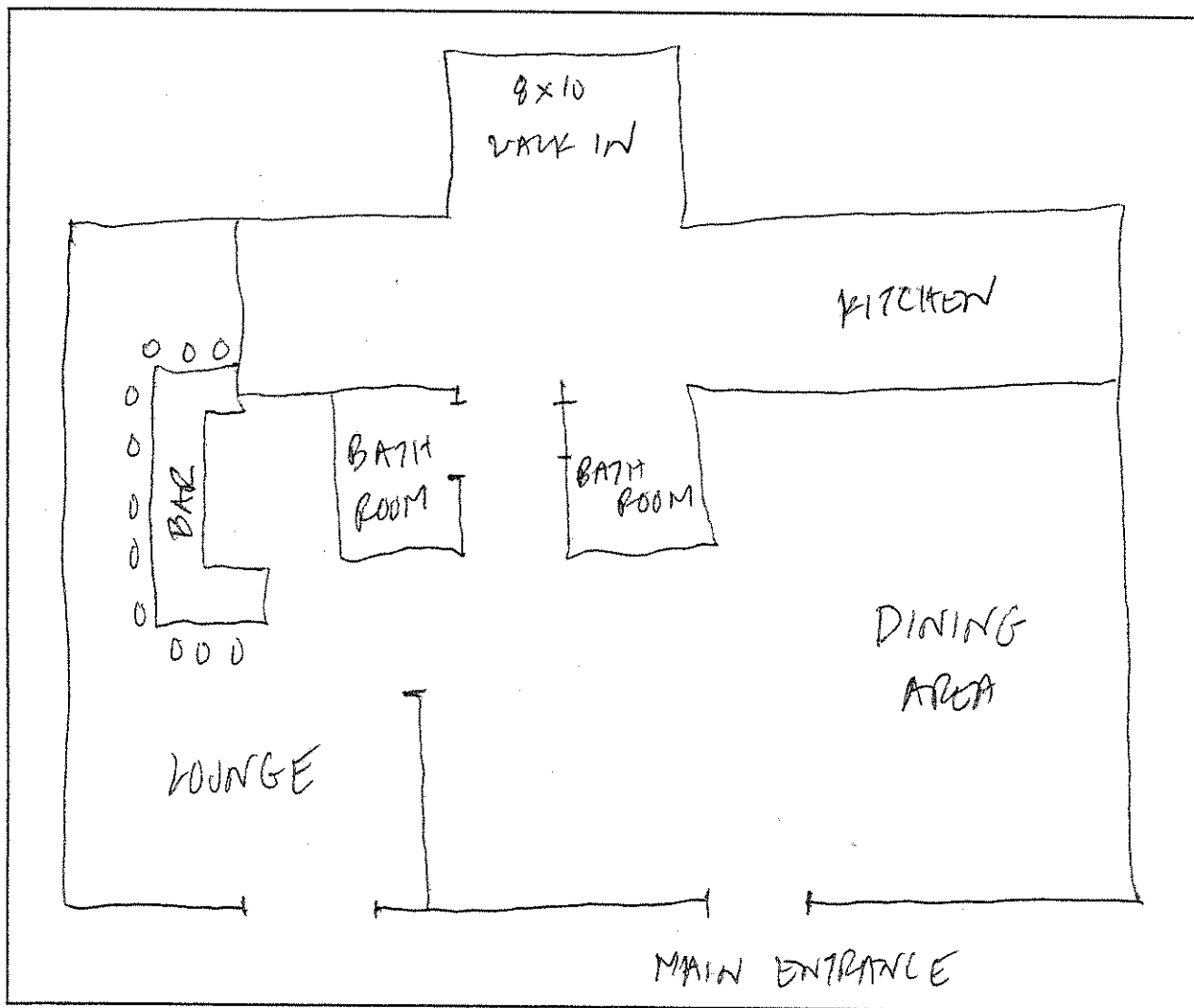


Bureau of Alcoholic Beverages
Division of Liquor Licensing & Enforcement
164 State House Station
Augusta, ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 387-3424

SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 164 State House Station, Augusta ME 04333-0164. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: KITTERY, Maine YORK ss
City/Town (County)
On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).][1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all license requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES

11/27/14

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER:

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) --(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
BLACK BIRCH, INC			THE BLACK BIRCH		
DOB: 7/23/12					
DOB:					
DOB:			Location (Street Address)		
			2 GOVERNMENT ST		
Address 2 GOVERNMENT ST			City/Town	State	Zip Code
			KITTERY	ME	03904
			Mailing Address		
			2 GOVERNMENT ST		
City/Town	State	Zip Code	City/Town	State	Zip Code
KITTERY	ME	03904	Kittery	ME	03904
Telephone Number	Fax Number		Business Telephone Number	Fax Number	
207 703 2294	EAT @ THE BLACK BIRCH.COM		207 703 2294	NA	
Federal I.D. #	46102 3520		Seller Certificate #		

3. If premises is a hotel, indicate number of rooms available for transient guests: NA

4. State amount of gross income from period of last license: ROOMS \$ NA FOOD \$ LIQUOR \$

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: NA

8. If business is NEW or under new ownership, indicate starting date:

Requested inspection date:

Business hours:

3:30 - 11:00pm

10. Is/are applicant(s) citizens of the United States?

YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine?

YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
GAVIN BEAUDRY	3/26/81	NASHUA, NH
BENJAMIN LORD	9/13/77	CALAIS, ME
JAKE SMITH	11/24/75	PAWTUCKET, RI
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
GAVIN BEAUDRY - KITTERY, ME	BEN LORD DOVER, NH	
JAKE SMITH YORK, ME, SOMERVILLE, MA		

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: SEE ATTACHED Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner:
STUDIO VERTE, LLC 172 PEPPERELL RD KITTERY PT ME 03905

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required)
SEE INCLUDED DIAGRAM

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 250 yds Which of the above is nearest? CHURCH

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: KITTERY ME on 9/26/14, 20 14
Town/City, State Date

Gavin Baudry
Signature of Applicant or Corporate Officer(s)
GAVIN BEAUDRY
Print Name

Please sign in blue ink

BENJAMIN LORD
Signature of Applicant or Corporate Officer(s)
BENJAMIN LORD
Print Name

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? Yes

Name: Benjamin Lord
Offense: DUI - 1st Offence
Disposition: Guilty

Date of Conviction: 10/21/05
Location: Portsmouth, NH District Court

Name: Gavin Beaudry
Offense: Violation - Disorderly Conduct
Disposition: Guilty

Date of Conviction: 8/21/03
Location: Durham, NH District Court
(now Dover District)



STATE OF MAINE
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

Supplemental Information Required for
Business Entities Who Are Licensees

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

BLACK BIRCH, INC

2. Other business name for your entity (DBA), if any:

THE BLACK BIRCH

3. Date of filing with the Secretary of State: 7/23/12

4. State in which you are formed: MAINE

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
BENJAMIN LORD	DOVER NH	9/13/77	45
GAVIN BEAUDRY	KITTERY, ME	3/26/81	45
JAKE SMITH	YORK, ME SUMMERVILLE, MA	11/20/75	10

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes

☒

No

☐

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: SEE ATTACHED


Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

9/26/14

Date

BENJAMIN LORD

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3424
Email Inquiries: MaineLiquor@Maine.gov

9. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? Yes

Name: Benjamin Lord

Offense: DUI - 1st Offense

Disposition: Guilty

Date of Conviction: 10/21/05

Location: Portsmouth, NH District Court

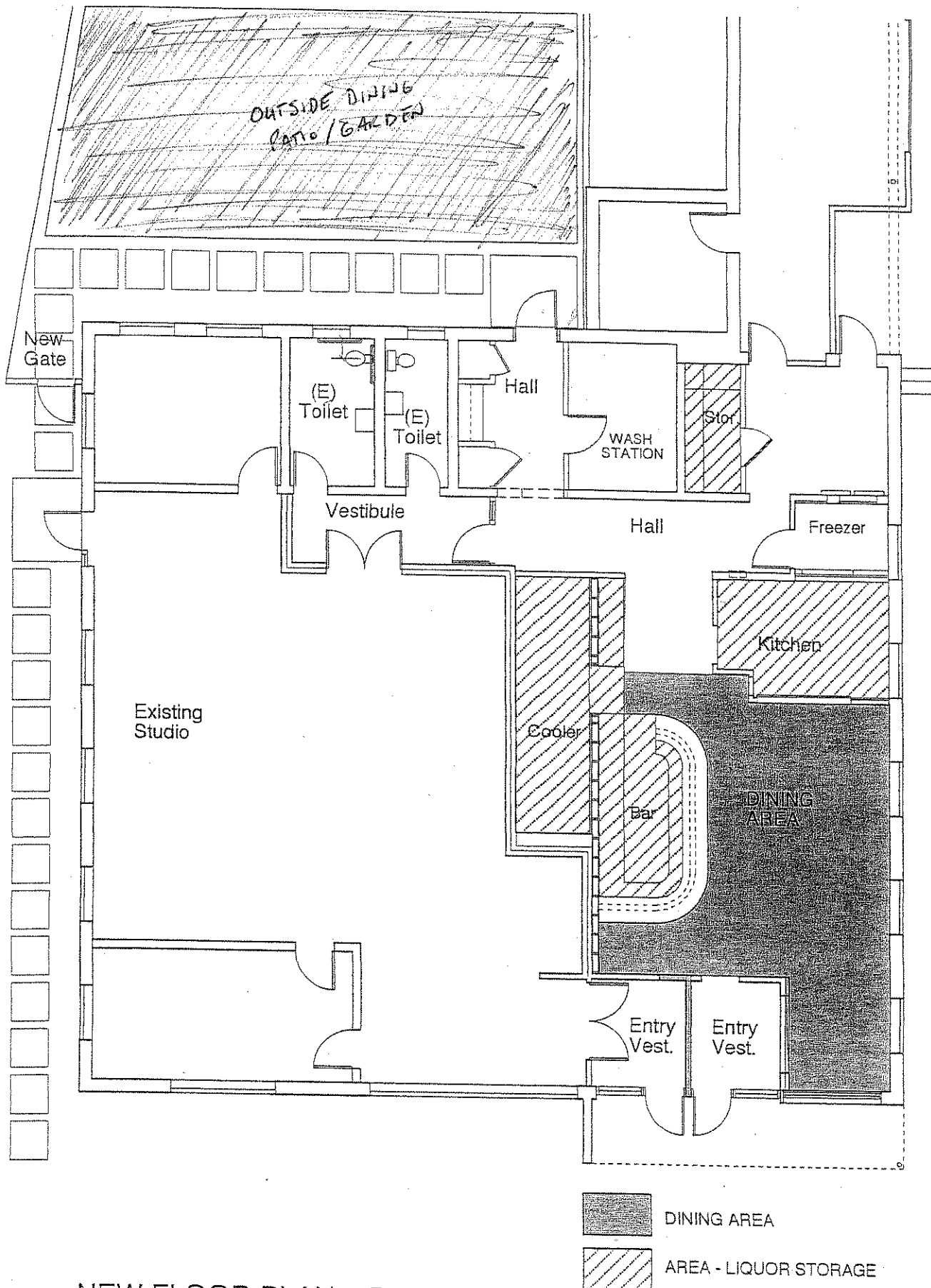
Name: Gavin Beaudry

Offense: Violation - Disorderly Conduct

Disposition: Guilty

Date of Conviction: 8/21/03

Location: Durham, NH District Court
(now Dover District)



NEW FLOOR PLAN - Restaurant
2 Government Street

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ SS

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all license requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

BSA Troop 307

Kittery Maine



September 12th 2014

BY:.....

Town of Kittery

Council Members

Our troop 307 is requesting permission from the town to hold our annual Fort Foster camping trip.

The dates will be the weekend of Friday October 31st - November the 2nd.

We will be self contained with our own water and a porta pottie as usual.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Roukes". The signature is fluid and cursive, with a long horizontal stroke at the end.

John Roukes

Scoutmaster troop 307



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Vern J. Gardner, Jr.

RESIDENCE: 2 Tucker Cove

MAILING (if different) P.O. Box 214 Portsmouth, New Hampshire 03802

E-MAIL ADDRESS: verngardner@comcast.net

PHONE #: (Home) 207-439-4359 (Work) 207-439-9699

RECEIVED
OCT 01 2014
BY BOB 9:55 AM

Please check your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|---|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input checked="" type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: Bachelor of Arts – Business Admin

RELATED EXPERIENCE (Including other Boards and Commissions)

Portsmouth Mayor's Advisory (Block Grants) 1980 – 2003
Economic Development about 1990-2003
Police Athletic Association – PAL basketball 1995-2005
Connie Bean Basketball 1995-present
Kittery Economic Development
Cable Board
Board of Appeal
Comprehensive Plan

PRESENT EMPLOYMENT: Self-employed

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: None

REASON FOR APPLICATION TO THIS BOARD: Following in my father's footsteps

I HAVE ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

SIGNATURE OF APPLICANT Vern J. Gardner, Jr.

DATE Sept 30, 2014

RECEIVED
OCT 08 2014

BY:.....

Kiwanis

September 30, 2014

Town of Kittery
Attn: Nancy Colbert Puff – Town Manager
CC: Maryann Place – Town Clerk
200 Rogers Road
Kittery, ME 03904

Dear Council Members,

The **Kiwanis Club of The Seacoast** is requesting permission from the Town to sponsor the annual Kittery Holiday Parade on Saturday – December 6, 2014 and to have the following Kiwanis Club member appointed as the Town's Official Parade Committee:

Glen Philbrook

41 Love Lane

Kittery

The parade will start at Post Office Square at 3:00pm, follow the traditional parade route through the downtown area, and conclude at the **John Paul Jones Park** with the tree lighting ceremony.

The **Kiwanis Club of the Seacoast** has sponsored the parade since 1994 and is looking forward to another successful community event again this year.

If you should have any questions concerning the parade, please contact Glen Philbrook at cell 603-799-8453.

Respectfully,

Daniel R Witham
Secretary
Kiwanis Club of the Seacoast
603-559-2614 w or 603-969-4694 c

Kiwanis Club of the Seacoast PO Box 285, Kittery, ME 03904
Frank Dennett – President Glen Philbrook – Immediate Past President
Dan Witham – Secretary Kim Marsh - Treasurer

Maryann Place

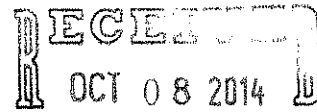
From: Barry Bush [barry@pepcove.com]
Sent: Sunday, September 28, 2014 2:15 PM
To: Maryann Place
Subject: resignation

dear mary ann please accept this letter as my resignation from the kpa effective when my successor qualifide and appointed. as a legal resident of kittery it has been my distinct honor and pleasure to serve the town and the kpa. Thank you for your support very truly yours, barry bush

RECEIVED
SEP 28 2014

BY:.....

Dear Mary Ann,



BY:.....

Please amend my resignation to be final and complete as of the 8th day of October, 2014, in that I will not serve until my successor is appointed and qualified.

Thank you,

Barry Bush

Maryann Place

From: Nancy Colbert Puff
Sent: Monday, September 29, 2014 3:09 PM
To: Maryann Place
Cc: Jeff Thomson
Subject: FW: Swan song

Please read below - I assume this can go on Council's next agenda as a resignation? Who is "next on the list" for Planning Board? Thanks,
-N

From: Susan Tuveson [<mailto:susantuv@live.com>]
Sent: Thursday, September 25, 2014 10:14 AM
To: Nancy Colbert Puff
Cc: Jeff D. Thomson
Subject: Fwd: Swan song

Hello Nancy

As a courtesy I'm forwarding this mail I sent to Tom just now.

It seems that the mission of the board has devolved to policy advocacy, driven by personal and regional interest, than application of statutes and ordinance to development proposals.

I admit no facility on a panel where the standard of review is "how would I feel if...?"

Thank you for all your efforts on behalf of our town.

S

Kittery Foreside: Walk, Bike, Drive

Begin forwarded message:

From: Susan Tuveson <susantuv@live.com>
Date: September 25, 2014 at 09:47:12 EDT
To: Tom Emerson <b-e@comcast.net>
Subject: Swan song

Good morning!

I regret, sort of, to let you know that tonight is my last meeting.

Many reasons, all of which you are aware. I believe I no longer have any effective role on a judicial panel of self- and regionally-focused advocates. This is the tyrannical majority I'm referring to...

Anyway, I don't need any sort of announcement, please. I thank you in advance for your honoring this request.

Besides, looks like I'm going to be out of town for most of the winter. Already having missed much of summer and now out for October, I feel behind and out of touch. It would only get worse.

Should you come to a point where you will want creative and reasoned input concerning planning new areas in town, I am your girl, and will happily serve on a committee.

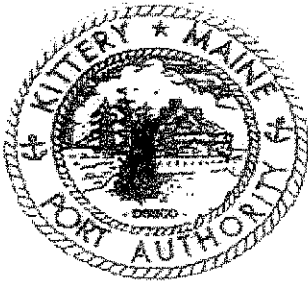
I am thankful that the PB yielded the opportunity to know you and Freda, whom I now count as friends. Please be advised you are not off the hook for more dinner invites.

Now...on to different projects!

Fondly,

S

Kittery Foreside: Walk, Bike, Drive



TOWN OF KITTERY PORT AUTHORITY
TOWN HALL
200 ROGERS ROAD, KITTERY, MAINE 03904

RECEIVED
OCT 02 2014

Thursday October 2, 2014

BY:

Nancy Colbert Puff
Town Manager
Town of Kittery
200 Rogers Rd
Kittery Maine 03904

Nancy,

Please accept my resignation from the Town of Kittery Planning Board effective Friday October 3, 2014. I will preside over the October 2 meeting of the Kittery Port Authority and this will be my last official act.

It has been a privilege to serve on the Town's citizen boards.

Sincerely,

Robert P Melanson
32 Mendum Ave
Kittery Maine 03904

cc: Maryann Place

Sec. 5.02. Personnel system.

(1) Merit principle. All appointments and promotions of town officers and employees, subject to the direction and supervision of the manager, shall be made solely on the basis of merit and fitness demonstrated by examinations or other evidence of competence.

(2) Personnel director. The town manager shall be the personnel director.

(3) Personnel board.

(a) There shall be a personnel board consisting of 5 members and 2 or more alternates appointed as hereinbefore provided in this charter. The first appointments to this board shall be made in the following manner: Two members for 3 years, 2 members for 2 years, and one member for one year. All succeeding appointments shall be made for terms of 3 years. Alternates shall be appointed for 3-year terms.

(b) The personnel board shall:

1. Assist the personnel director in developing and updating an administrative code;
2. Advise the personnel director on issues of personnel management; and
3. Act as an appeals or grievance board.



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED
DEC 23 2013
BY NCP 630 pm

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Robert D. Harris Sr

RESIDENCE: 40 Cutts Rd Kittery ME

MAILING (if different) _____

E-MAIL ADDRESS: BDH@H40 PHONE #: (Home) 207 439 5614 (Work) _____
My Fair Point, ME

Please check your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|---|--|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Cable Television Rate Regulation Board | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Comm. | <input type="checkbox"/> Community Center Bldg. Comm./Rec. Comm. |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input checked="" type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: High School & College Business Psychology

RELATED EXPERIENCE (Including other Boards and Commissions) Past Member
of Personnel Board have run my own business

PRESENT EMPLOYMENT: Retired

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: NO

REASON FOR APPLICATION TO THIS BOARD: To serve the Town

I HAVE ___/HAVE NOT ___ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Robert D Harris
SIGNATURE OF APPLICANT

12/23/2013
DATE



OFFICE OF THE TOWN CLERK
TOWN OF KITTERY, MAINE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 439-0452 Fax: (207) 439-6806
website: www.kittery.org

RECEIVED
OCT 07 2014
BY: 1:35pm

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: PAUL E. LUCY
RESIDENCE: 2 Wheelhouse Way, Kittery Pt., ME 03905
MAILING (if different)
E-MAIL ADDRESS: P. Lucy 616@gmail.com PHONE #: (Home) 207 439 1116 (Work)

Please circle your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|---|---|
| <input type="radio"/> Board of Appeals | <input type="radio"/> Board of Assessment Review |
| <input type="radio"/> Conservation Commission | <input type="radio"/> Mary Safford Wildes Trust |
| <input checked="" type="radio"/> Economic Development Comm. | <input type="radio"/> Shellfish Conservation Committee |
| <input type="radio"/> Recycling Scholarship Selection Comm. | <input type="radio"/> Community Center Bldg. Comm./Rec. Comm. |
| <input type="radio"/> Parks Commission | <input type="radio"/> Open Space Committee |
| <input type="radio"/> Port Authority | <input checked="" type="radio"/> Planning Board |
| <input checked="" type="radio"/> Personnel Board | <input type="radio"/> Other <u> </u> |

EDUCATION/TRAINING: See Attached
RELATED EXPERIENCE (Including other Boards and Commissions) NONE

PRESENT EMPLOYMENT: Recently Retired = See Attached

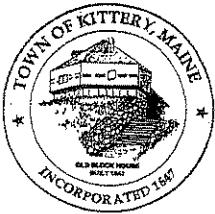
ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY?: ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: No
REASON FOR APPLICATION TO THIS BOARD: Just now have the time to devote to town affairs.

I HAVE /HAVE NOT ☒ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Paul E. Lucy
SIGNATURE OF APPLICANT

10-7-14
DATE



OFFICE OF THE TOWN CLERK
TOWN OF KITTERY, MAINE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 439-0452 Fax: (207) 439-6806
website: www.kittery.org

RECEIVED
SEP 29 2014

BY: 9:41 Am

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: JOHN J. DELIO

RESIDENCE: 43 CUTTS ROAD
KITTERY, MAINE

MAILING (if different) _____

E-MAIL ADDRESS: JDL067@COMCAST.NET PHONE #: (Home) 439-5354 (Work) _____

Please circle your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|---|---|
| Board of Appeals | Board of Assessment Review |
| Conservation Commission | Mary Safford Wildes Trust |
| Economic Development Comm. | Shellfish Conservation Committee |
| Recycling Scholarship Selection Comm. | Community Center Bldg. Comm./Rec. Comm. |
| Parks Commission | Open Space Committee |
| Port Authority | Planning Board |
| <input checked="" type="checkbox"/> Personnel Board | Other _____ |

EDUCATION/TRAINING: HIGH SCHOOL DIPLOMA, APPRENTICESHIP @ SHIPYARD

RELATED EXPERIENCE (Including other Boards and Commissions) (11 YRS.) SUPERVISOR AND
(5 YRS.) SHOP MANAGER @ PORTSMOUTH NAVAL SHIPYARD

PRESENT EMPLOYMENT: RETIRED

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY?: ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: NONE

REASON FOR APPLICATION TO THIS BOARD: WOULD LIKE TO BE INVOLVED WITH THE TOWN.

I HAVE / HAVE NOT ☒ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

John J. Delio
SIGNATURE OF APPLICANT

9/29/14
DATE